

Perez Cruz Ruben
Register No. 16573-198
Taft Correctional Institution
P.O. Box 7001
Taft, California 93268

Defendant Proceeding PRO SE

UNIT STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA LAS VEGAS

UNITED STATES OF AMERICA)

V.)

PEREZ CRUZ RUBEN)

Case: No. 2:10cr-00575-JCM-VCF

MOTION FOR APPOINTMENT OF COUNSEL
PURSUANT TO PROVISION OF THE CRIMINAL
JUSTICE ACT,

TITLE 18 U.S.C. § 3006A (a) (1) and (c).
AND BECAUSE THE NEED TO PROCESS PETITION
UNDER GUIDELINES AMENDMENT 794 AND
UNITED STATES V. QUINTERO LEYVA,

PETITIONER Perez Cruz Ruben Hereby moves this Honorable Court Requesting for
for appointment of counsel pursuant to the provision of the Criminal Justice Act
Title 18 U.S.C. § 3006A (a) (1) and (c). To file for a reduction of sentence
under the Supreme Court decision in light of Amendment 794, and United States v.
Quintero Leyva, 823 F.3d 519 (9th Cir. 2016). See United States v. Cota Chavez
No.14-504007; United States v. Tokunaga Fujigaki, No. 14-50466; United States V.
Altamirano No. 15-50090; United States v. Nava Maytorel, No. 15-50213.
These dispositions add additional weight to Mr.Perez Cruz Ruben request for
vacatur so that the District Court may reassess the minor role adjustment in
light of Amendment 794. ECF No. 13 at 1,7-8, 10-21; ECF No. 28 at 2-12; ECF
Nos. 31-32

1 This week the Court granted relief to four more defendants under Guidelines
2 Amendment 794 And United States v. Quintero Leyva.
3 In this case, the Defendant took no part in either setting up negotiating the
4 transation. His role even viewed at its most culpable, was minor. The Defendant
5 did not use violence or credible threats of violence during this offense. ~~The~~
6 Defendant did not possess a firearm in connection with the offense. The offense
7 did not result in the death or serious bodily injury to any person. The
8 Defendant was not an organizer, leader or manager, far from it, this Defendant
9 has held stable employment for the past 15 years.

10 conclusion

11 The new factors set forth in the Application Notes of newly -amended § 3B1.2 all
12 favor the application of minor role adjustment in the instant case. Accordingly
13 the Court should consider these facts. And granted the petitioner the appointment
14 of counsel therefore to present any petitions, motions or applications relating
15 thereto the Court for disposition.

16
17 Submitted on September 28, 2016

18 
Perez Cruz Ruben

CERTIFICATE OF SERVICE

I, Perez Cruz Ruben hereby certify that I have served a true and correct copy of the following:

MOTION FOR APPOINTMENT OF COUNSEL PURSUANT TO THE PROVISION OF THE CRIMINAL JUSTICE ACT, TITLE 18 U.S.C. : 3006A (a) (1) and (c). AND BECAUSE THE NEED TO PROCESS PETITION UNDER GUIDELINES AMENDMENT 794 AND UNITED STATES V. QUINTERO LEYVA.

Which is deemed filed at the time it was deposited in Taft Correctional Institution's internal mail system, since TCI has no separate system designed for legal mail, in accordance with Rule 4, Federal Rules of Appellate Procedure and *Houston V. Lack*, 108 S. Ct. 2379 (1988), by placing same in a sealed, first class postage prepaid envelope addressed to :

United States Courthouse
333 Las Vegas Boulevard South Suit 6085
Las Vegas Nevada, 89101

and depositing same in the institution mail box at Taft Correctional Institution at Taft, California.

I declare, under penalty of perjury (Title 28 U.S.C. 1746), That the foregoing is true and correct.

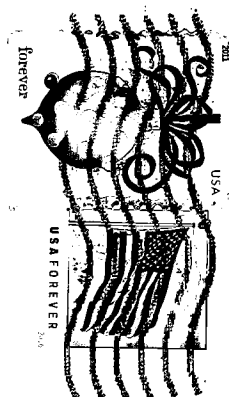
Dated this 28, day of September, 2016.

Ruben Perez Cruz

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